

1 **RAINES FELDMAN LITTRELL LLP**
2 Robert S. Marticello, State Bar No. 244256
3 *rmarticello@raineslaw.com*
4 Michael L. Simon, State Bar No. 300822
5 *msimon@raineslaw.com*
6 4675 MacArthur Ct., Suite 1550
7 Newport Beach, CA 92660
8 Telephone: (310) 440-4100
9 Facsimile: (949) 247-3998

10 Counsel for The Original Mowbray's Tree Service,
11 Inc., Debtor and Debtor-In-Possession

FILED & ENTERED

MAY 27 2025

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

SANTA ANA DIVISION

In re

THE ORIGINAL MOWBRAY'S TREE
SERVICE, INC., a Delaware corporation

Debtor and
Debtor-in-Possession.

Case No. 8:24-bk-12674-SC

Chapter 11

**ORDER GRANTING DEBTOR'S
MOTION FOR ENTRY OF INTERIM
AND FINAL ORDERS AUTHORIZING
USE OF CASH COLLATERAL AND
APPROVING STIPULATION
AUTHORIZING USE OF CASH
COLLATERAL AND VACATING
HEARING**

Hearing:

Date: May 28, 2025

Time: 10:00 a.m.

Place: Courtroom 5C
411 West Fourth Street
Santa Ana, CA 92701

The Court has considered the *Debtor's Motion for Entry of Interim and Final Orders Authorizing Use of Cash Collateral* [Docket No. 394] (the "Motion") filed by The Original Mowbray's Tree Service, Inc., the debtor and debtor-in-possession in the above-captioned case ("Debtor"), all papers submitted in support thereof, and the *Stipulation Authorizing Use*

1 *of Cash Collateral* [Docket No. 459] (the "Stipulation") between the Debtor and PNC Bank,
2 N.A., and for good cause shown, finds that a hearing is not necessary, and orders as follows:

- 3 1. The Motion is granted as provided herein;
- 4 2. The Stipulation is approved in its entirety;
- 5 3. The Debtor is authorized to use cash collateral in accordance with the budget
6 attached hereto as **Exhibit 1** on a final basis pursuant to the terms and conditions of the
7 Stipulation; and,

- 8 4. The May 28, 2025 hearing is vacated.

9 ####

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Date: May 27, 2025



Scott C. Clarkson
United States Bankruptcy Judge

EXHIBIT 1

The Original Mowbray's Tree Service Inc. Weekly Cash Flow	Week 1 Ended	Week 2 Ended	Week 3 Ended	Week 4 Ended	Week 5 Ended	Week 6 Ended	Week 7 Ended	Week 8 Ended	Week 9 Ended	Week 10 Ended	Week 11 Ended	Week 12 Ended	Week 13 Ended	13 Week Total
	4/25/2025	5/2/2025	5/9/2025	5/16/2025	5/23/2025	5/30/2025	6/6/2025	6/13/2025	6/20/2025	6/27/2025	7/4/2025	7/11/2025	7/18/2025	
Operating Receipts														
Tree Service Collections	209,010	229,010	229,011	229,011	229,012	249,012	249,012	249,012	249,012	249,012	249,012	249,012	249,012	3,117,150
Pino/Phoenix Mgmt. Fees, Interest Income, Leases	228,375	188,810	188,810	188,810	188,810	188,810	226,635	226,635	226,635	226,635	226,635	226,635	226,635	2,758,870
Pino/Phoenix Line of Credit	61,250	61,000	61,000	61,000	61,000	61,250	61,250	61,250	61,250	61,250	61,250	61,250	61,250	795,000
Total Receipts	498,635	478,820	478,821	478,821	478,822	498,822	536,897	6,671,020						
Operating Disbursements														
Salaries & Wages	170,607	170,346	170,423	170,568	170,627	170,576	175,317	175,037	175,159	175,211	175,444	175,321	175,247	2,249,883
Health Insurance	84,955	-	-	-	84,955	-	-	-	84,955	-	-	-	84,955	339,820
Worker's Comp	-	-	43,323	-	-	-	54,153	-	-	-	44,622	-	-	142,098
Union Dues	-	-	39,562	28,000	-	-	49,452	-	-	-	40,748	-	-	157,762
Occupancy	19,571	-	-	-	-	19,571	-	-	-	-	19,571	-	-	58,713
Insurance	872,322	-	-	58,292	416,965	-	-	-	-	416,965	-	-	-	1,764,544
Utilities	7,986	7,975	9,058	15,450	7,868	7,894	8,972	16,249	8,781	8,701	8,980	16,261	8,754	132,930
Repair and Maintenance	10,506	10,509	10,591	10,432	10,508	10,590	10,678	10,507	10,506	10,587	10,432	10,508	10,519	136,874
Office Supplies	5,512	5,766	5,538	5,563	5,574	5,594	5,862	5,635	30,632	5,569	5,782	5,569	48,571	141,167
Vehicles Expenses	131,175	41,237	41,173	41,253	41,393	41,277	41,419	41,557	41,719	41,767	41,929	41,365	41,386	628,651
OC Professionals	3,120	3,235	13,859	60,924	2,945	12,549	4,159	2,921	12,522	3,131	3,247	13,555	3,072	139,240
Tools and Supplies	48,495	48,466	48,462	48,463	48,419	48,425	48,431	48,436	48,441	48,446	48,451	48,455	48,454	629,843
Property Taxes - Real	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bank Expenses	-	4,000	-	-	-	-	4,000	-	-	-	4,000	-	-	12,000
Other	11,388	11,387	11,486	11,592	11,706	11,828	11,959	12,099	12,248	12,410	12,572	11,739	11,784	154,199
Total Operating Disbursements	1,365,638	302,920	393,474	450,537	800,962	328,305	414,403	312,440	424,963	722,786	415,779	322,774	432,742	6,687,724
Operating Cash Flow	(867,003)	175,900	85,347	28,284	(322,140)	170,517	122,494	224,457	111,934	(185,889)	121,118	214,123	104,155	(16,704)
Cumulative Operating Cash Flow	(867,003)	(691,103)	(605,757)	(577,472)	(899,612)	(729,095)	(606,601)	(382,144)	(270,210)	(456,100)	(334,982)	(120,859)	(16,704)	(16,704)
Financing														
PNC Adequate Protection	-	150,000	-	-	200,000	350,000	-	-	-	-	350,000	-	-	1,050,000
Equipment Loans	1,000,423	143,535	26,245	50,444	15,885	27,986	122,938	54,991	20,756	14,249	134,992	23,998	51,879	1,688,323
Equipment Rentals	-	44,603	-	-	-	-	44,603	-	-	-	44,603	-	-	133,809
Total Financing	1,000,423	338,138	26,245	50,444	215,885	377,986	167,541	54,991	20,756	14,249	529,595	23,998	51,879	2,872,132
Cash Flow After Financing	(1,867,427)	(162,238)	59,102	(22,160)	(538,025)	(207,470)	(45,047)	169,466	91,178	(200,139)	(408,477)	190,125	52,276	(2,888,837)
Cumulative Cash Flow After Financing	(1,867,427)	(2,029,665)	(1,970,563)	(1,992,723)	(2,530,748)	(2,738,217)	(2,783,265)	(2,613,799)	(2,522,621)	(2,722,760)	(3,131,237)	(2,941,112)	(2,888,837)	(2,888,837)
Restructuring Disbursements														
Force Ten Partners (CRO)	203,503	75,000	-	-	-	-	75,000	-	-	-	75,000	-	-	428,503
Raines Feldman (Debtor's Counsel)	375,000	75,000	-	-	-	-	75,000	-	-	-	75,000	-	-	600,000
Grobstein Teeple	50,000	10,000	-	-	-	-	10,000	-	-	-	10,000	-	-	80,000
Examiner Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	150,000
United States Trustee	58,149	-	-	-	-	-	-	-	-	-	-	-	-	58,149
Total Restructuring Disbursements	686,652	160,000	-	-	-	-	160,000	-	-	-	160,000	-	150,000	1,316,652
Beginning Cash Balance	12,541,435	9,987,356	9,665,118	9,724,220	9,702,060	9,164,035	8,956,566	8,751,518	8,920,984	9,012,162	8,812,023	8,243,546	8,433,671	12,541,435
Net Change in Cash	(2,554,079)	(322,238)	59,102	(22,160)	(538,025)	(207,470)	(205,047)	169,466	91,178	(200,139)	(568,477)	190,125	(97,724)	(4,205,489)
Ending Cash Balance	9,987,356	9,665,118	9,724,220	9,702,060	9,164,035	8,956,566	8,751,518	8,920,984	9,012,162	8,812,023	8,243,546	8,433,671	8,335,946	8,335,946

The Original Mowbray's Tree Service Inc. Weekly Cash Flow	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	13 Week Total
	Ended 4/25/2025	Ended 5/2/2025	Ended 5/9/2025	Ended 5/16/2025	Ended 5/23/2025	Ended 5/30/2025	Ended 6/6/2025	Ended 6/13/2025	Ended 6/20/2025	Ended 6/27/2025	Ended 7/4/2025	Ended 7/11/2025	Ended 7/18/2025	
Collateral Package														
Cash	9,987,356	9,665,118	9,724,220	9,702,060	9,164,035	8,956,566	8,751,518	8,920,984	9,012,162	8,812,023	8,243,546	8,433,671	8,335,946	8,335,946
Accounts Receivable	2,998,855	3,018,855	3,038,855	3,068,855	3,098,855	3,108,855	3,118,855	3,128,855	3,138,855	3,148,855	3,158,855	3,168,855	3,178,855	3,178,855
FF&E (Net Book Value)	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343	334,343
Pledged Allen Street Property (net, non debtor)	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500	1,762,500
Pledged Sacramento Property (net, non debtor)	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
	16,583,055	16,280,817	16,359,919	16,367,759	15,859,734	15,662,264	15,467,217	15,646,682	15,747,860	15,557,722	14,999,245	15,199,369	15,111,645	15,111,645
PNC Debt														
Beginning	7,038,464	7,038,464	7,038,464	7,038,464	7,038,464	6,838,464	6,638,464	6,638,464	6,638,464	6,638,464	6,638,464	6,438,464	6,438,464	7,038,464
(+) Interest Principal	-	150,000	-	-	-	150,000	-	-	-	-	-	150,000	-	450,000
(-) Payments	-	(150,000)	-	-	(200,000)	(350,000)	-	-	-	-	(350,000)	-	-	(1,050,000)
Ending Balance	7,038,464	7,038,464	7,038,464	7,038,464	6,838,464	6,638,464	6,638,464	6,638,464	6,638,464	6,638,464	6,438,464	6,438,464	6,438,464	6,438,464
Accounts Receivable Roll Forward														
Accounts Receivable - Beginning Balance	2,998,855	2,998,855	3,018,855	3,038,855	3,068,855	3,098,855	3,108,855	3,118,855	3,128,855	3,138,855	3,148,855	3,158,855	3,168,855	2,998,855
(+) Sales - Tree Services	219,010	249,010	249,011	259,011	259,012	259,012	259,012	259,012	259,012	259,012	259,012	259,012	259,012	3,307,150
(+) Sales - Pino/Phx Mgmt. Fees, Interest Income, Leases	228,375	188,810	188,810	188,810	188,810	188,810	226,635	226,635	226,635	226,635	226,635	226,635	226,635	2,758,870
(-) Collections - Tree Services	(209,010)	(229,010)	(229,011)	(229,011)	(229,012)	(249,012)	(249,012)	(249,012)	(249,012)	(249,012)	(249,012)	(249,012)	(249,012)	(3,117,150)
(-) Collections - Pino/Phx Mgmt. Fees, Interest Income, Leases	(228,375)	(188,810)	(188,810)	(188,810)	(188,810)	(226,635)	(226,635)	(226,635)	(226,635)	(226,635)	(226,635)	(226,635)	(226,635)	(2,758,870)
Accounts Receivable - Ending Balance	2,998,855	3,018,855	3,038,855	3,068,855	3,098,855	3,108,855	3,118,855	3,128,855	3,138,855	3,148,855	3,158,855	3,168,855	3,178,855	3,178,855